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09/876,788	06/06/2001	Ronald A. Linyard	ADE014001	9002
64107 7590 02/22/2007 KOKKA & HSU, PC 1001 N. RENGSTORFF AVENUE SUITE 250 MOUNTAIN VIEW, CA 94043			EXAMINER LEE, PHILIP C	
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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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1. This action is responsive to the amendment and remarks filed on December 05 2006.
2. Claims 1-3, 5-20 and 30-32 are presented for examination and claims 4 and 21-29 are canceled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.
4. Claims 5 and 6 are objection to because they are dependent on canceled claim 4.

*Claim Rejections – 35 USC 101*

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-11 are rejected under 35 U.S.C. 101 because “A computer implemented method” giving its broadest interpretation can be considered as a “software program” and it does not produce a useful, concrete and tangible result.
7. Claims 12-20 are rejected under 35 U.S.C. 101 because “A computer implemented system” comprising: modules (i.e., software) does not include any functional structure of a

system. A computer implemented system comprising modules (i.e., software) is considered as program per se, which is not one of the categories of statutory subject matter.

8. Claim 32 is rejected under 35 U.S.C. 101 because “A method of providing user assistance information” giving its broadest interpretation can be considered as a “software program” and it does not produce a useful, concrete and tangible result.

*Claim Rejections – 35 USC 103*

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen, U.S. Patent 6,584,464 (hereinafter Warthen) in view of Machiraju et al, U.S. Patent 6,243,090 (Machiraju).

10. Warthen was cited in the last office action.

11. As per claim 13, Warthen taught the invention substantially as claimed comprising:  
a suggestion module adapted to provide a list of questions (fig. 3; col. 4, lines 7-8) and answers (fig. 4; col. 4, lines 19-22) to a user of a computer executed application in response to a request for assistance (col. 3, lines 46-49) with computer executed application (col. 2, lines 48-50), wherein the list of questions and answers is customized based at least in part upon a category that is associated with the user request (col. 3, lines 41-51; col. 6, lines 1-8); and

a statistics module adapted to provide the list of questions, wherein the list of questions includes a selected number of frequently asked questions (col. 5, lines 15-25).

12. Warthen did not teach a list of questions and answers pairs. Machiraju taught providing a list of questions and answers pairs to a user of a computer executed application in response to a request from the user for assistance regarding computer executed application (col. 5, line 67-col. 6, line 2; e.g., regarding Lycos).

13. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Warthen and Machiraju because Machiraju's teaching would provide ease of use for a user in Warthen's system by allowing a user to access frequently asked questions linked with answers (col. 3, lines 47-52).

*Claim Rejections – 35 USC 103*

14. Claims 14 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen and Machiraju in view of Suzuki et al, U.S. Patent 5,890,139 (Suzuki).

15. Suzuki was cited in the last office action.

16. As per claim 14, Warthen and Machiraju taught the invention substantially as claimed in claim 13 above. Warthen and Machiraju did not teach an authoring module associating answers

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with the unanswered questions. Suzuki taught that the statistics module identifies unanswered questions (col. 4, line 66-col. 5, line 13) and additionally comprising an authoring module adapted to associate answers with the unanswered questions (col. 9, lines 4-25).

17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Warthen, Machiraju, and Suzuki because Suzuki's teaching of identifying question as an unanswered question would increase the efficiency of Warthen's and Machiraju's systems by providing the answer for unanswered question to automatically accumulated in the database (col. 3, lines 6-9).

18. As per claim 15, Warthen, Machiraju and Suzuki taught the invention substantially as claimed in claim 14 above. Suzuki further taught that the authoring module associates answers with the unanswered questions automatically (col. 9, lines 4-25).

19. Claims 1, 2, 5, 6, 9, 10, 12, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Culliss, U.S. Patent 6,539,377 (hereinafter Culliss) and Suzuki in view of Machiraju.

20. Culliss was cited in the last office action.

21. As per claim 1, Culliss taught the invention substantially as claimed comprising:  
receiving a question from a user of a computer executed application (col. 3, lines 45-56);

identifying an operational context of the computer executed application (i.e., the viewing habits of a user of the browser), wherein the operational context is associated with the received question (col. 3, lines 45-56);

identifying a category that is associated with the identified context (col. 3, lines 45-56; col. 4, lines 30-59); and

searching for at least one answer to the question, wherein the searching is based at least in part upon the identified category and the received question (col. 5, lines 45-65); and

determining whether a selected one of the at least one answer is associated with the identified context and the received question (col. 4, line 66-col. 5, line 2).

22. Although Culliss taught identifying the question as associated with the identified context and the received question (col. 5, lines 40-52) , however, Culliss did not teach identifying the question as an unanswered question when no answer is associated. Suzuki taught identifying the question as an unanswered question when no answer is associated (col. 4, line 66-col. 5, line 13); logging the unanswered question (col. 5, lines 6-11); and prompting for answers to unanswered questions, the prompting being configured to allow the answers to be entered (col. 5, line 64-col. 6, line 5).

23. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss and Suzuki because Suzuki's teaching of identifying question as an unanswered question would increase the efficiency of Culliss's system

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by providing the answer for unanswered question to automatically accumulated in the database (col. 3, lines 6-9).

24. Culliss and Suzuki did not teach a list of frequently asked unanswered questions. Machiraju taught identifying a list of frequently asked unanswered questions (col. 7, lines 1-8; col. 2, lines 3-11, 30-40).

25. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, and Machiraju because Machiraju's teaching would provide ease of use for a user in their systems by providing frequently asked questions linked with answers to user(col. 3, lines 47-52).

26. As per claim 2, Culliss, Suzuki and Machiraju taught the invention substantially as claimed in claim 1 above. Culliss further taught that identifying an operational context comprises one of the following:

- determining which of a plurality of web pages have been visited by the user;
- identifying the time that the user accessed the plurality of web pages;
- determining a format in which the user transmitted the question; or
- determining the hardware environment of the user (col. 3, lines 57-65).

27. As per claim 5, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claim 4 above. Culliss further taught that determining whether any answer is



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associated with the identified context and the received question comprises determining whether a confidence threshold is exceeded (col. 5, lines 5-7).

28. As per claim 6, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claim 4 above. Suzuki taught additionally comprising associating an answer with the unanswered question (col. 9, lines 4-25).

29. As per claim 9, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claims 5 above. Suzuki further taught additionally comprising generating an e-mail containing the answer to the question (col. 6, lines 20-25).

30. As per claim 10, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claims 1 above. Culliss further taught additionally comprising searching for the answer using at least in part the identified category (col. 6, lines 30-40).

31. As per claim 12, Culliss taught the invention substantially as claimed comprising:  
a question module adapted to receive at least one question from a user of a computer executed application (col. 3, lines 45-56);

a context module adapted to identify at least one category that is associated with the context of the computer executed application in which the question was received (col. 3, lines 45-56; col. 4, lines 30-59); and

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a knowledge module adapted to identify an answer to received question, wherein the answer is derived using at least in part the identified category (col. 4, line 66-col. 5, line 2; col. 5, lines 45-65).

32. Culliss did not teach an authoring module adapted to identify unanswered questions and adapted to associate an answer with the unanswered questions. Suzuki taught an authoring module adapted to identify unanswered questions (col. 4, line 66-col. 5, line 13) and adapted to associate an answer with the unanswered questions (col. 9, lines 4-25); and a tracking module (160, fig. 1) adapted to log the unanswered question (col. 5, lines 6-11), and to prompt for answers to the unanswered question (col. 5, line 64-col. 6, line 5).

33. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss and Suzuki because Suzuki's teaching of identifying question as an unanswered question would increase the efficiency of Culliss's system by providing the answer for unanswered question to automatically accumulated in the database (col. 3, lines 6-9).

34. Culliss and Suzuki did not teach a list of frequently asked unanswered questions. Machiraju taught identifying a list of frequently asked unanswered questions (col. 7, lines 1-8; col. 2, lines 3-11, 30-40).

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35. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, and Machiraju because Machiraju's teaching would provide ease of use for a user in their systems by providing frequently asked questions linked with answers to user(col. 3, lines 47-52).

36. As per claim 16, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claim 12 above. Machiraju further taught providing a list of questions (15, fig. 1).

37. Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Culliss and Warthen in view of Machiraju.

38. As per claim 30, Culliss taught the invention as claimed comprising:

identifying a context of a computer executed application that is associated with a user in response to a request for assistance with the computer executed application (col. 3, lines 45-65); and

determining which of a plurality of categories is associated with the identified context of the computer executed application (col. 3, lines 45-56; col. 4, lines 30-59).

39. Culliss did not teach identifying and displaying a plurality of most frequently asked questions. Warthen taught a similar invention comprising:

identifying a plurality of most frequently asked questions that are associated with the determined category (col. 3, lines 41-51; col. 6, lines 1-8); and

displaying the most frequently asked questions to the user (col. 5, lines 15-25).

40. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss and Warthen because Warthen's teaching of providing a list of questions would increase the accuracy of Culliss's system by accounting for the user selection of the provided list of questions to further narrow the search to provide relevant results to the user.

41. Culliss and Warthen did not explicitly teach a request for assistance regarding a computer executed application. Machiraju taught a request for assistance regarding a computer executed application (col. 5, line 67-col. 6, line 2; e.g., regarding Lycos).

42. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Warthen, and Machiraju because Machiraju's teaching would provide ease of use for a user in Culliss's and Warthen's systems by allowing a user to access frequently asked questions linked with answers regarding computer executed application (col. 3, lines 47-52).

43. As per claim 31, Culliss taught the invention as claimed comprising:  
determining a category that is associated with a user question, wherein the determined category is based at least in part upon which web page of a plurality of web pages the user has most recently accessed (col. 3, lines 13-56; col. 5, lines 21-25), the user question

being associated with a request for assistance with a computer executed application (col. 3, lines 45-65);

44. Culliss did not teach identifying and displaying a plurality of most frequently asked questions. Warthen taught a similar invention comprising:

identifying a plurality of most frequently asked questions that are associated with the determined category (col. 3, lines 41-51; col. 6, lines 1-8); and  
displaying the most frequently asked questions to the user (col. 5, lines 15-25).

45. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss and Warthen because Warthen's teaching of providing a list of questions would increase the accuracy of Culliss's system by accounting for the user selection of the provided list of questions to further narrow the search to provide relevant results to the user.

46. Culliss and Warthen did not explicitly teach a request for assistance regarding a computer executed application. Machiraju taught a request for assistance regarding a computer executed application (col. 5, line 67-col. 6, line 2; e.g., regarding Lycos).

47. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Warthen, and Machiraju because Machiraju's teaching would provide ease of use for a user in Culliss's and Warthen's systems by

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allowing a user to access frequently asked questions linked with answers regarding computer executed application (col. 3, lines 47-52).

48. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen and Suzuki in view of Machiraju.

49. As per claim 32, Warthen taught the invention as claimed comprising:  
receiving a plurality of questions (fig. 3; col. 3, lines 12-17);  
determining whether each of the questions has an associated answer located in a  
knowledge database (col. 3, lines 41-56; col. 6, lines 5-8);

50. Warthen did not teach storing unanswered questions. Suzuki taught  
storing the questions which have no associated answer located in the knowledge database  
(col.4, line 66-col. 5, line 13), the questions which have no associated answer defining  
unanswered questions (col. 4, line 66-col. 5, line 13); logging the unanswered question (col. 5,  
lines 6-11); and receiving at least one new answer from an administrative user for each of the  
unanswered questions (col. 5, lines 64-col. 6, lines 10).

51. It would have been obvious to one having ordinary skill in the art at the time of the  
invention was made to combine the teachings of Warthen and Suzuki because Suzuki's teaching  
of storing question as an unanswered question would increase the efficiency of Warthen's system

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by providing the unanswered questions and answer for unanswered questions to automatically accumulated in the database (col. 3, lines 6-9).

52. Warthen and Suzuki did not teach a list of frequently asked unanswered questions. Machiraju taught identifying a list of frequently asked unanswered questions (col. 7, lines 1-8; col. 2, lines 3-11, 30-40).

53. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Warthen, Suzuki, and Machiraju because Machiraju's teaching would provide ease of use for a user in their systems by providing frequently asked questions linked with answers to user(col. 3, lines 47-52).

54. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Culliss, Suzuki and Machiraju in view of Manduley et al, U.S. Patent 6,768,790 (hereinafter Manduley).

55. Manduley was cited in the last office action.

56. As per claim 3, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claims 2 above. Culliss, Suzuki, and Machiraju did not teach the determined format as an e-mail message. Manduley taught that the determined format is one of the following:

input from a field in a web page, an e-mail message or an electronic chat question (col. 4, lines 7-41).

57. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, Machiraju, and Manduley because Manduley's teaching of determining the format would increase the efficiency of Culliss's, Suzuki's, and Machiraju's systems by allowing received messages to be sorted according to the message format.

58. Claims 7, 8, 11, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Culliss, Suzuki, and Machiraju in view of Warthen.

59. As per claim 7, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claims 6 above. Culliss, Suzuki, and Machiraju did not teach generating a web page containing the answer. Warthen taught that associating an answer comprises generating a web page containing the answer to the question (col. 4, lines 19-25).

60. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, Machiraju, and Warthen because Warthen's teaching of generating a web page containing answer would increase the field of use in their system by allowing the answer to be presented on a software browser.

61. As per claim 8, Culliss, Suzuki, Machiraju, and Warthen taught the invention substantially as claimed in claim 7 above. Culliss further taught additionally comprising



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providing the associated answer in response to receiving a question from a second user, wherein the associated answer is immediately available to the second user subsequent to the answer being associated with the question (col. 5, lines 22-52).

62. As per claim 11, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claim 10 above. Culliss, Suzuki, and Machiraju did not teach user definable description. Warthen taught that the identified category is a user definable description (col. 4, lines 55-56).

63. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, Machiraju, and Warthen because Warthen's teaching of user definable description would increase the flexibility of the user in Culliss's, Suzuki's, and Machiraju's systems by allowing a user to define criteria for matching the context of the question to an answer.

64. As per claim 19, Culliss taught the invention as claimed for providing user assistance, comprising:

a question module adapted to receive at least one question from a user of a computer executed application (col. 3, lines 45-56);

a context module adapted to identify at least one category that is associated with the context of the computer executed application in which the question was received (col. 3, lines 45-56; col. 4, lines 30-59); and

a knowledge module adapted to identify an answer to a received question, wherein the answer is derived using at least in part the identified category (col. 5, lines 45-52).

65. Culliss did not teach an authoring module adapted to identify unanswered questions and adapted to associate an answer with the unanswered questions. Suzuki taught an authoring module adapted to identify unanswered questions (col. 4, line 66-col. 5, line 13); and a tracking module (160, fig. 1) adapted to log the unanswered question (col. 5, lines 6-11), and to prompt for answers to the unanswered question (col. 5, line 64-col. 6, line 5).

66. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss and Suzuki because Suzuki's teaching of identifying question as an unanswered question would increase the efficiency of Culliss's system by providing the answer for unanswered question to automatically accumulated in the database (col. 3, lines 6-9).

67. Culliss and Suzuki did not teach a list of frequently asked unanswered questions. Machiraju taught identifying a list of frequently asked unanswered questions (col. 7, lines 1-8; col. 2, lines 3-11, 30-40).

68. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, and Machiraju because

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Machiraju's teaching would provide ease of use for a user in their systems by providing frequently asked questions linked with answers to user(col. 3, lines 47-52).

69. Culliss, Suzuki, and Machiraju did not teach providing a list of questions and answers associated with the identified category. Warthen taught a similar invention comprising:

a statistics module adapted to provide a list of questions and answers that are associated with the identified category (col. 3, lines 41-51; col. 6, lines 1-8); and  
a suggestion module adapted to provide the list of questions and answers to the user in response to a request for assistance (col. 3, lines 41-51; col. 6, lines 1-8).

70. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, Machiraju, and Warthen because Warthen's teaching of providing a list of questions would increase the accuracy of Culliss's, Suzuki's, and Machiraju's systems by accounting for the user selection of the provided list of questions to further narrow the search to provide relevant results to the user.

71. As per claim 20, Culliss, Suzuki, Machiraju, and Warthen taught the invention substantially as claimed in claim 19 above. Suzuki further taught that the authoring module associates answers with the unanswered questions automatically (col. 9, lines 4-25).

72. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Culliss, Suzuki, and Machiraju in view of Warner, U.S. Patent 6,665,655 (hereinafter Warner).

73. Warner was cited in the last office action.

74. As per claims 17-18, Culliss, Suzuki, and Machiraju taught the invention substantially as claimed in claim 16 above. Culliss, Suzuki, and Machiraju did not teach arranging the questions in an order. Warner taught that the statistics module arranges the questions in a most frequently asked order or a least frequently asked order (col. 7, lines 15-col. 8, lines 40; col. 9, lines 37-40).

75. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Culliss, Suzuki, Machiraju, and Warner because Warner's teaching of arranging the questions in order would increase the user flexibility of Culliss's, Suzuki's, and Machiraju's systems by allowing the results to be presented according to the user's interest.

76. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ackerman, M.S., Malone, T.W., Answer Garden: A Tool for Growing Organizational Memory, 1990, ACM Press, pages 31-39; Ackerman, M.S., McDonald, D.W., Answer Garder 2: merging organizational memory with collaborative help, 1996, ACM Press, pages 97-105.


77. Applicant's arguments with respect to claims 1-3, 5-20 and 30-32, filed 12/05/06 have been considered but are moot in view of the new ground(s) of rejection.

78. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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P.L.



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